

Remarks

The Office Action mailed November 14, 2008, has been received and carefully reviewed. The preceding amendments and the following remarks form a full and complete response thereto. Independent claim 1 is amended to be more in line with the arguments made during the telephonic discussion with the Examiner on February 24 and 25, 2009. Support for the amendments can be found, *inter alia*, paragraphs 0010-0011 and 0028-0030 of the specification. No new matter is added. Accordingly, claims 1-20 are pending in the application, and are submitted for reconsideration.

Applicants' representative thanks the Examiner for taking the time on February 24 and 25, 2009 to discuss the application.

Claims 1-2 and 4-9 were rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 6,014,649 to Kobayashi et al. ("Kobayashi"). The Applicants respectfully traverse the rejection and submit that claims 1-2 and 4-9 recite subject matter not disclosed by Kobayashi.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Also, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed.Cir. 1989). At the outset, the Applicants would like to

point out that the rejection to claims 1-2 and 4-9 based on 35 U.S.C. § 102(b) is improper since Kobayashi fails to describe, either expressly or inherently, each and every feature of the claims (e.g., at least Kobayashi fails to disclose that the filling of the money cassette is effected in a mobile charging station).

Claim 1, upon which claims 2 and 4-9 depend, recites a method for filling at least partially emptied money cassettes for automatic teller machines (ATM) with money. The method includes steps of removing a first, at least partially emptied money cassette from a first automatic teller machine and thereafter filling the first money cassette removed from the first automatic teller machine. The filling of the first money cassette is effected in a mobile charging station, which can be transported from an automatic teller machine to at least one further automatic teller machine, after the cassette is removed from the ATM.

Kobayashi is directed to an ATM operation supporting system for managing the number of bills in a plurality of ATMs 1. Kobayashi's system includes a mobile cart 2, a counting section 3, and a control section 4. The mobile cart 2 has a handling mechanism 6 capable of installing a bill cassette 5 into each ATM 1 and removing the bill cassette 5 from each ATM 1. The mobile cart 2 travels to each ATM 1 and installs and removes the bill cassette 5 using the handling mechanism 6 to perform bill replenishment/collection operation for each ATM 1. The counting section 3 counts the number of bills stored in the bill cassette 5 which is directly or indirectly loaded onto the

mobile cart 2 by a clerk in charge. The control section 4 controls the bill replenishment/collection operation performed by the mobile cart 2 such that the numbers of bills in the ATMs 1 are balanced.

During the telephonic discussions on February 24 and 25, the Examiner took the position that although Kobayashi does not expressly provide that the bill cassette 5 is replenished with the bill in the mobile cart 2, the disclosure of Kobayashi did not exclude the possibility that the money cassette could be filled in the mobile cart 2 (mobile charging station).

The Examiner's reasoning appears to be mainly based on Fig. 1 of Kobayashi which shows the overall structure of Kobayashi's ATM supporting system. In particular, Kobayashi's system is directed to an ATM operation supporting system for managing the number of bills in a plurality of ATMs 1. The system includes, in addition to the plurality of ATMs 1 to be supported, a mobile cart 2, a counting section 3, and a control section 4. The Examiner assumed that the mobile cart 2 has the bill counting functionality since, in order to fulfill the bill replenish operation, bill counting functionality is prerequisite and, because the only major component of the system other than the ATMs 1 is the mobile cart 2 (see Fig. 1), the mobile cart should have such counting functionality. And then, the Examiner made the conclusion that since the mobile cart 2 has the bill counting functionality, the bill cassette 5 which has been retrieved from the ATM 1 has no other way but to be replenished in the mobile cart 2.

Applicants, however, respectfully disagree with the Examiner since such reasoning comes from misunderstanding of the disclosure of Kobayashi.

First of all, the counting section 3 is not a separate section from the ATMs 1. Instead, "the counting function of one of the plurality of ATMs 1 may be used as the counting section 3." Kobayashi, column 5, lines 62-63. Kobayashi also discloses that "as a result of a bill cassette 5 being installed into the ATM 1 using the mobile cart 2, it becomes possible to count the number of bills in the bill cassette 5 using the counting mechanism of that ATM 1 without separately providing a special counting mechanism." Column 5, line 63-column 6, line 2. The overall bill replenishment/collection operation, including the counting operation, is controlled by the workstation WS 18 which is distinct from the mobile cart 2. See, Figs 2 and 3 of Kobayashi. Therefore, it is clear from the above disclosure that the statement regarding counting the number of bills in the bill cassette 5 in Kobayashi does not mean that the counting operation is performed in the mobile cart 2. To the contrary, Kobayashi is unequivocal regarding the counting operation.

Since the Examiner's basic assumption that the counting section 3 is in the mobile cart 2 is flawed as described above, the Examiner's conclusion based on such assumption cannot be justified.

Contrary to the Examiner's assertion, the method of refilling bill cassettes in ATMs described by Kobayashi is entirely different from the method as presently claimed

in pending claim 1. Referring to Fig. 17 and column 21, line 46 of Kobayashi, ATMs are replenished with banknotes by moving a mobile cart 50 to an ATM. The mobile cart 50 contains a bill cassette 22 filled with banknotes. The mobile cart bill cassette 22 and the ATM cassette 22 to be replenished are exchanged with each other. While the ATM cassette is stored in the mobile cart, a stacker in the ATM is replenished with a predetermined number of bills supplied from the mobile cart bill cassette 22. Thereafter, the ATM cassette 22 stored in the mobile cart 50 and the mobile cart bill cassette 22 loaded into the ATM are exchanged with each other again. Thus, according to Kobayashi, the bill replenishment operation is performed in the ATM (see also column 8, lines 52-53 of Kobayashi), unlike the claimed invention by which the filling of the ATM cassette ("first money cassette") is effected in the mobile cart ("mobile changing station").

The mobile cart in Kobayashi only serves to transport the bill cassette 22 from one ATM to the next ATM or to the cassette station 53. The mobile cart is unable to replenish a cassette with bills since it does not have any transporting elements for banknotes (see Fig. 6 of Kobayashi). Instead, manual replenishment of money to the cassettes is carried out at the cassette station 53 by the clerk (see Figs. 2 and 3): "[t]he clerk in charge *loads* the bill cassettes 22 with bills" (emphasis added) (column 19, lines 16-17). In the same context, Fig. 14(a) of Kobayashi shows the bills set in the bill cassette 22 within the cassette station 53 "when the clerk in charge *replenishes* the

cassette station 53 with the estimated number of bills" (emphasis added) (column 19, lines 21-24).

Thus, Kobayashi fails to disclose the feature of claim 1 by which the filling of the ATM cassette is effected in the mobile cart, upon which claims 2 and 4-9 depend. Accordingly, the rejection to claim 1-2 and 4-9 by anticipation is improper.

The Applicants thus request that the rejection to claims 1-2 and 4-9 be withdrawn and the claims be allowed.

Claims 3, 10-16 were objected to as being dependent upon claim 1 which the Examiner rejected for the above reason.

The Applicants request that the objection to claims 3 and 10-16 be withdrawn and the claims be allowed since the base claim, independent claim 1, is patentable as argued above.

In view of the foregoing, all objections and rejections have been sufficiently addressed. The Applicants submit that the application is now in condition for allowance and request that claims 1-16 be allowed and this application passed to issue.

In the event that this paper is not timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account No. 02-2135.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by

telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

Respectfully submitted,

March 16, 2009
Date

/Brian A. Tollefson/
Brian A. Tollefson
Reg. No. 46,338
Attorney for the Applicants
ROTHWELL, FIGG, ERNST & MANBECK
1425 K Street, N.W.
Suite 800
Washington, D.C. 20005
(202) 783-6040

1589444